



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

US EPA RECORDS CENTER REGION 5



494967

REPLY TO THE ATTENTION OF:

MEMORANDUM

SUBJECT: ACTION MEMORANDUM - Request for Approval and Funding for a Time-Critical Removal Action at the Former TOCON Holdings Asbestos Site, Goshen, Elkhart County, Indiana (Site ID #C5AM)

FROM: Andrew Maguire, On-Scene Coordinator *Mulder*
Emergency Response Branch 2, Section 3

THRU: Samuel Borries, Chief *Sam Borries*
Emergency Response Branch 2

TO: Douglas Ballotti, Acting Director
Superfund Division

I. PURPOSE

The purpose of this Action Memorandum is to document verbal approval for emergency expenditures and to seek approval of an additional expenditure for mitigation of threats to public health and the environment at the TOCON Holdings Asbestos Site, ("site") located at 1302 East Monroe Street, Goshen, Elkhart County, Indiana. On March 1, 2016, verbal authorization to spend up to \$40,000 was granted by the Chief of Emergency Response Branch 2 (ERB 2) to begin emergency removal actions to stabilize the site and limit the potential for release of asbestos containing material (ACM) at the site. On March 16, 2016, the verbal authorization for spending from the Chief of the ERB 2 was increased to \$50,000 to continue emergency removal actions. That phase of the work at the site is complete, and the next proposed phase is to conduct a time-critical removal action for removal and proper disposal of the ACM. This Action Memorandum requests and seeks your approval to expend up to an additional \$1,718,885, for a total of \$1,768,885, to conduct the selected time-critical removal action at the site.

The site is contaminated by asbestos resulting from demolition of site buildings with asbestos materials left in place. In 2013, TOCON contracted to have the buildings on the site demolished. The buildings were demolished by contractor R & C Swift Dismantling (Swift). The demolition went forward with no (or grossly inadequate) abatement of asbestos. As a result, the site is covered with piles of asbestos-containing debris. Some of the asbestos is on the surface and can (and has) become airborne. The site is in a busy part of Goshen and near a public school and homes.

The response actions proposed herein will continue the efforts made during the emergency removal action and are necessary to mitigate the threats to public health, welfare and the environment posed by the presence of uncontrolled asbestos waste abandoned in several waste piles located on the site. The OSC has documented the presence of friable asbestos, ACM, and regulated asbestos containing material (RACM) at the site during the Removal site evaluation on February 29, 2016.

The proposed removal action will mitigate the threats from asbestos by locating, sampling, and arranging for disposal of asbestos and asbestos debris left at the site. The uncontrolled conditions of the hazardous substances at the site require that this action be classified as a time-critical removal action. This time-critical removal action will be conducted in accordance with Section 104(a) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), 42 U.S.C. § 9604(a), and 40 C.F.R. § 300.415 of the National Oil and Hazardous Substances Pollution Contingency Plan (NCP) to abate or eliminate the immediate threats posed to public health, welfare and/or the environment.

The project will require approximately 60 working days to complete.

II. SITE CONDITIONS AND BACKGROUND

CERCLIS ID # - Pending

Category: Time-Critical Removal Action

The site was originally operated by Johnson Controls as a manufacturing plant for heating systems, as well as a research and development facility. The main plant building was utilized as an assembly plant for component equipment, tooling machinery, and stamp equipment, which were all used in heating systems. The engineering building was formerly used as a research and development space for the Johnson Controls facility. The buildings were demolished in 2013 through 2014.

Since 1996, Johnson Controls has conducted soil remediation and groundwater remediation activities at the site under the IDEM Voluntary Remediation Program (VRP) (VRP Site No. 6960403). Johnson Controls is currently addressing a trichloroethene (TCE) groundwater plume over the western portion of the site, and also at off-site locations. Semi-annual or more frequent groundwater sampling rounds have been conducted since operation of a groundwater extraction system ended at the site in March of 2012 (GZA 2015). The proposed EPA removal action is not intended to address any TCE contamination at the site.

Johnson Controls sold the site property to TOCON in 2007. Johnson Controls disclosed to TOCON the presence of asbestos in buildings at the site. TOCON operated an unsuccessful business at the site and contracted in 2013 to have the buildings on the site demolished. The buildings were demolished by Swift. The demolition went forward with no (or grossly inadequate) abatement of asbestos. As a result, the site is covered with piles of asbestos-containing debris. Some of the asbestos is on the surface and can (and has) become airborne.

A. Site Description

1. Removal site evaluation

On January 29, 2016 KERAMIDA Inc. (KERAMIDA) conducted a visual inspection of the demolition debris located at the TOCON property. The inspection was performed on behalf of an attorney for some nearby residents. Observations from the visual inspection include (1) demolition debris piles were present at the site; (2) debris piles were both above ground and below ground, filling basements and former loading docks; (3) the former loading docks were filled with demolition debris to surface grade level; (4) several “air pockets” were observed on the east end of the area that previously contained the administrative office building; and (5) several pipes with intact insulation were observed in one “air pocket” (KERAMIDA 2016).

Based on the findings of the visual inspection, KERAMIDA remobilized to the site on February 1, 2016 to conduct an asbestos survey/inspection of the demolition debris piles. A total of 115 samples of suspected-asbestos containing materials were collected from the debris piles and sent for laboratory analysis. Of the 115 demolition debris samples collected and analyzed for asbestos, 47 contained asbestos, classifying them as “Asbestos-Containing Material” (ACM) (KERAMIDA 2016).

On February 9, 2016 the Indiana Department of Environmental Management (IDEM) requested EPA assistance in addressing asbestos at the site. The site is described in the referral as unrestricted and in a residential neighborhood near a high school. IDEM reported that some asbestos abatement may have occurred prior to demolition, however, testimony given during TOCON Holdings’ bankruptcy hearings in 2015 indicates otherwise. Previous IDEM visual inspections of the site did not find asbestos. However, given the data from KERAMIDA’s assessment work in February 2016, IDEM referred the site to EPA for follow up.

On February 29, 2016 EPA conducted a Removal site evaluation which consisted of a site reconnaissance, identification and collection of potential ACM samples, and photographic documentation of site features. Samples collected by EPA showed 9 of 24 bulk sample locations contained 5-15% chrysotile asbestos, including friable asbestos. A summary of the results are shown in the table below. During the EPA site evaluation, the property was found to be unsecured with no signage for keeping trespassers off site and asbestos warning signage was not present. Trespassing was observed during the site assessment and signs of trespassing were also observed around the site in the form of graffiti and apparent illegal dumping. Asbestos debris was observed on the surface of the site, with unrestricted access.

EPA conducted assessment categorization of suspected ACMs at the site in accordance with the National Emissions Standards for Hazardous Air Pollutants (NESHAP) at 40 CFR, Parts 61.141 and 61.145. EPA’s Superfund Technical Assessment and Response Team (START) contractor classified ACM under one of the three categories summarized as follows:

- Category I Non-Friable ACM is defined as ACM packing, gaskets, resilient floor covering, and asphalt roofing products containing more than 1-percent asbestos. Generally, Category I building materials would not create an airborne release of asbestos fibers during normal demolition activities. However, the debris at the site is the result of improper demolition, thereby creating Regulated ACM.

- Category II Non-Friable ACM is defined as any material, excluding Category I non-friable ACM, containing more than 1-percent asbestos that, when dry, cannot be crumbled, pulverized, or reduced to a powder by hand pressure. An example of this ACM is asbestos cement board. Generally, Category II building materials would create an airborne release of asbestos fibers during normal demolition activities.
- Regulated ACM (RACM) is defined as (1) friable ACM; (2) Category I Non-Friable ACM that has become friable; (3) Category I Non-Friable ACM that will be or has been subjected to sanding, grinding, cutting, or abrading; or (4) Category II Non-Friable ACM that has a high probability of becoming or has become crumbled, pulverized, or reduced to powder by forces expected to act on the material in the course of demolition or renovation operations regulated under Subpart 61.141 of 40 CFR, Part 61 (NESHAP Revision; Final Rule).

Asbestos Sampling Results

Sample ID	Result	Description	Asbestos Type	Classification
TOCON-BK-006-022916	10-15%	wood with black mastic	Chrysotile	Cat II
TOCON-BK-013-022916	10-15%	Cement w/ mastic	Chrysotile	Cat II
TOCON-BK-017-022916	10-15%	Black 9"X9" Tile	Chrysotile	Cat II
TOCON-BK-001-022916	5-10%	Class I Friable Pipewrap	Chrysotile	RACM - Friable
TOCON-BK-007-022916	5-10%	Grayish paper wrap	Chrysotile	RACM - Cat II
TOCON-BK-009-022916	5-10%	Fiberboard	Chrysotile	Cat II
TOCON-BK-014-022916	5-10%	Aircell	Chrysotile	RACM - Friable
TOCON-BK-015-022916	5-10%	Gray 12"X12" tile	Chrysotile	Cat II
TOCON-BK-016-022916	5-10%	White / tan 9"X9" tile	Chrysotile	Cat II

On March 1, 2016 EPA conducted an emergency response action to stabilize the site by erecting a fence to limit access, covering the asbestos debris piles, and posting no trespassing and asbestos warning signs.

2. Physical Location

The site is located at 1302 East Monroe Street, in Goshen, Indiana (Appendix A, Figure 1). The geographic coordinates of the approximate center of the site are 41.579701'' North latitude and 85.815263'' West longitude. The site is located in a mixed residential and commercial area, and is bound to the north by a train tracks and a commercial loading dock; to the east is farmland/residential areas; areas south and west are residential properties. The site is in close proximity to a high school located beyond the neighboring residential properties. (Appendix A, Figure 2). The site is the location of a former thermal systems manufacturing plant. All of the original building structures have been demolished. Piles of bricks, wood, metal, and other debris from demolition activities are located around the site.

3. Site Characteristics

The site was originally operated by Johnson Controls as a manufacturing plant for heating systems, as well as a research and development facility. The main plant building was utilized as an assembly plant for component equipment, tooling machinery, and stamp equipment, which were all used in heating systems. The engineering building was formerly used as a research and development space for the Johnson Controls facility. After Johnson Controls sold the site to TOCON, the buildings on the site were demolished in 2013 through 2014.

4. Release or threatened release into the environment of a hazardous substance, or pollutant, or contaminant

The presence of a hazardous substance at the site has been documented by analysis of samples from debris piles at the site (samples BK-001, BK-006, BK-007, BK-009, BK-013, BK-014, BK-015, BK-016, and BK-017). Nine bulk demolition debris samples tested positive for chrysotile asbestos. Asbestos is defined as a hazardous substance by 40 C.F.R. § 302.4. The asbestos debris at the site is open to the environment and further weathering could cause degradation and spread the ACM off site. Residential homes are immediately adjacent to the site and a school is located near the site.

EPA is concerned that unsecured hazardous substances, pollutants and/or contaminants, present in deteriorating debris piles at the site have been released to the environment and may come into contact with the nearby human population.

5. NPL Status

The site is neither on nor proposed for the National Priority List.

6. Maps, pictures and other graphic representations

- Figure 1: Site Location Map
- Figure 2: Site Layout Map
- Figure 3: Site Photo Log

7. Environmental Justice Analysis

An Environmental Justice (EJ) analysis for the site is contained in Attachment 4. Screening of the surrounding area used Region 5's EJ Screen Tool. Region 5 has reviewed environmental and demographic data for the area surrounding the site at 1302 E Monroe St, Goshen, IN, and determined there is a low potential for EJ concerns at this location.

B. Other Actions to Date

1. Previous actions

This Action Memo documents previous investigation and response actions in the site Conditions and Background section above.

2. Current actions

On February 29, 2016 EPA conducted a site evaluation which consisted of a site reconnaissance, identification and collection of potential ACM samples, and photographic documentation of site features. Samples collected by EPA showed 9 of 24 bulk sample locations contained 5-15% chrysotile asbestos including friable asbestos. Results are summarized in the table above.

During the site evaluation, the property was found to be unsecured with no signage for keeping trespassers off site; asbestos warning signage was not present. Trespassing was observed during the site evaluation and signs of trespassing were also observed around the site in the form of graffiti and potential illegal dumping. Asbestos debris was observed outdoors with unrestricted access.

On March 1, 2016, EPA conducted an emergency response action to stabilize the site by erecting a fence to limit access, cover asbestos debris piles and post no trespassing and asbestos warning signs.

C. State and Local Authorities Role

1. State and local actions to date

Since 1996, soil remediation and groundwater remediation activities have been conducted under the IDEM Voluntary Remediation Program (VRP Site No. 6960403). Johnson Controls is currently addressing a trichloroethene (TCE) groundwater plume over the western portion of the site, and also at off-site locations. Semi-annual or more frequent groundwater sampling rounds have been conducted since an operation of groundwater extraction ended at the site in March of 2012 (GZA 2015).

IDEM reported that some asbestos abatement may have occurred prior to demolition, however testimony given during bankruptcy hearings in 2015 indicates otherwise. Previous IDEM visual inspections of the site did not find asbestos. However, given the data from KERAMIDA's assessment work in February 2016, IDEM referred the site to EPA for follow up.

2. Potential for continued State/local response

On February 9, 2016 IDEM requested EPA assistance in addressing asbestos at the site. IDEM indicated that it does not have the resources to adequately respond to conditions at the site.

III. THREATS TO PUBLIC HEALTH, WELFARE, OR THE ENVIRONMENT, AND STATUTORY AND REGULATORY AUTHORITIES

The conditions at the site present an imminent and substantial threat to the public health, welfare and the environment, and meet the criteria for a time-critical removal action provided for in the NCP, 40 C.F.R. § 300.415(b)(1), based on the following factors in 40 C.F.R. § 300.415(b)(2):

i. Actual or potential exposure to nearby human populations, animals, or the food chain from hazardous substances or pollutants or contaminants;

The site is bordered by residential properties and located near a school. Prior to EPA's emergency action to secure the site, there was no fence and trespassing was common. The current fencing is temporary and will stay in place until the site is cleaned up.

EPA identified RACMs at the site in the form of pipe wrap, paper wrap, and aircell ACM. Undamaged ACM (mastic and tiles) are reclassified as RACM once the material becomes damaged or crumbled. By definition, RACMs are not friable in their original state, but require removal before demolition activities in order to prevent releasing airborne asbestos fibers.

Asbestos is a hazardous substance as defined by 40 CFR Section 302.4 of the NCP. Asbestos is of potential concern because chronic inhalation exposure to excessive levels of asbestos fibers suspended in air can result in lung diseases such as asbestosis, mesothelioma, and lung cancer. Sub-acute exposures as short as a few days are shown to cause mesothelioma. The ACMs identified within the debris piles and the RACMs identified have a potential to render asbestos fibers airborne that can create an inhalation threat.

There were no signs or other deterrents to warn the public of the potential asbestos hazards at the site prior to the emergency action. Site access was unrestricted, and trespassers entering the site could be exposed to airborne asbestos fibers or come in direct contact with damaged ACM. The close proximity of residences increases the likelihood of potential risks to the public health or welfare and the environment if a release occurs. The temporary fencing and signs will remain until the removal action is completed.

v. Weather conditions that may cause hazardous substances, pollutants, or contaminants to migrate or be released;

Weather conditions could contribute to deterioration and potential subsequent release of asbestos fibers into the environment. Based on the damaged condition and presence of ACM within the debris piles observed during the site assessment, the debris at the site presents a potential threat to the public health or welfare or the environment through migration as windblown particles. Additionally, storm water runoff could cause migration of ACM offsite through storm drains and over land to residences.

vi. Threat of fire or explosion;

Site assessment results do not indicate that any waste materials at the site are hazardous based on the characteristic of ignitability. However, the site is not secure, and the demolition debris is accessible to trespassers who could inadvertently or deliberately start a fire which could cause ash and smoke containing asbestos fibers to migrate off site.

vii. The availability of other appropriate federal and state response mechanisms to respond to the release;

No other federal or state response mechanism is available to respond in a timely manner given the exigencies of the situation. The City of Goshen lacks the financial resources to perform the

necessary response actions. IDEM referred the site to EPA in February 2016 noting IDEM's lack of funds available to perform the necessary response actions.

IV. ENDANGERMENT DETERMINATION

Given the conditions at the site, the nature of the confirmed hazardous substances, and the potential exposure pathways described in Sections II and III above, actual or threatened releases of hazardous substances from this site, if not addressed by implementing the response actions selected in this Action Memorandum, may present an imminent and substantial endangerment to public health, or welfare, or the environment.

V. CONTINUED AND PROPOSED ACTIONS AND ESTIMATED COSTS

A. Continued and Proposed Actions

1. Continued and proposed action description

The response actions described in this memorandum directly address actual or potential releases of hazardous substances at the site, which may pose an imminent and substantial endangerment to public health, or welfare, or the environment. Site removal activities will include:

- a) Erect temporary fencing to limit access (*Completed during emergency action-will continue*);
- b) Post asbestos warning signs (*Completed during emergency action-will continue*);
- c) Cover debris piles containing asbestos until removal is complete (*Completed during emergency action-will continue*);
- d) Develop and implement a Site-Specific Health and Safety Plan, with a Perimeter Air Sampling Plan, including measures to control ACM dust during the removal action and signs warning of potential exposure to hazardous substances, including but not limited to ACM;
- e) Develop and implement a Site Emergency Contingency Plan;
- f) Develop and implement a Site Work Plan including Site Security Plan;
- g) Characterize and segregate, when possible, ACM waste from waste not containing ACM;
- h) Load, transport, and dispose of an estimated 7,000 tons of readily identifiable ACM wastes, from debris piles and pits at an EPA-approved disposal facility in accordance with EPA's Off-Site Rule (40 CFR §300.440);
- i) Decontaminate concrete pads using vacuum equipment and low-pressure washing, as necessary;

- j) Decontaminate heavy equipment as necessary, and appropriately dispose of decontamination water; and
- k) Take any necessary response action to address any release or threatened release of a hazardous substance, pollutant or contaminant that EPA determines may pose an imminent and substantial endangerment to public health, or the environment.

This removal action will be conducted in a manner not inconsistent with the NCP.

The OSC has initiated planning for provision of post-removal site control consistent with the provisions of 40 C.F.R. § 300.415(l) of the NCP. Elimination of hazardous substances, pollutants and contaminants that pose a substantial threat of release is expected to minimize requirements for post-removal site controls.

The threats posed by the asbestos containing debris meet the criteria in Section 300.415(b) of the NCP and the response actions proposed herein are consistent with any long-term remedial actions which may be required.

Off-Site Rule

All hazardous substances, pollutants or contaminants removed off-site pursuant to this removal action for treatment, storage and disposal shall be treated, stored, or disposed of at a facility in compliance, as determined by EPA, with the EPA's Off-Site Rule, 40 C.F.R. § 300.440.

2. Contribution to remedial performance:

Based on available information and current knowledge, the proposed action will not impede current and any future actions at the site.

3. Engineering Evaluation/Cost Analysis (EE/CA)

Not applicable

4. Applicable or Relevant and Appropriate Requirements

EPA will comply with all applicable, relevant, and appropriate requirements (ARARs) of Federal and state laws, to the extent practicable, considering the exigencies of the circumstances.

Federal

- National Emission Standards for Hazardous Air Pollutants (NESHAP) 40 CFR Part 61, Subparts A and M, apply to the removal and disposal of asbestos and ACM.

State

On May 9, 2016, via electronic mail, the OSC requested Rex Osborn of IDEM Federal Programs Section to identify any State of Indiana ARARs which may apply to this site. Any state ARARs identified in a timely manner will be complied with to the extent practicable.

5. Project Schedule

The removal activities identified in this memorandum are expected to require 60 on-site working days to complete.

B. Estimated Costs

The detailed cleanup contractor cost is presented in Attachment 1 and the Independent Government Cost Estimate is presented in Attachment 2. Estimated project costs are summarized below:

REMOVAL ACTION PROJECT CEILING ESTIMATE	
<u>Extramural Costs:</u>	
<u>Regional Removal Allowance Costs:</u>	
Total Cleanup Contractor Costs (This cost category includes estimates for ERRS, subcontractors, Notices to Proceed, and Interagency Agreements with Other Federal Agencies. Include a 15% contingency)	\$1,344,350
<u>Other Extramural Costs Not Funded from the Regional Allowance:</u>	
Total START, including multiplier costs	\$129,500
Total Decontamination, Analytical & Tech. Services (DATS)	\$ 0
Total CLP	\$ 0
Subtotal	\$ 0
	\$1,473,850
Subtotal Extramural Costs	
Extramural Costs Contingency (20%) (20% of Subtotal, Extramural Costs rounded to nearest thousand)	\$295,000
TOTAL REMOVAL ACTION PROJECT CEILING	\$1,768,850

The response actions described in this memorandum directly address the actual or threatened release at the site of hazardous substances, pollutants, or contaminants, which may pose an imminent and substantial endangerment to public health, welfare, or the environment. EPA does not believe that these response actions will impose a disproportionate burden on the affected property.

VII. EXPECTED CHANGE IN THE SITUATION SHOULD ACTION BE DELAYED OR NO ACTION TAKEN

Given the Site conditions, the nature of the hazardous substances and pollutants or contaminants documented on Site, and the potential exposure pathways to nearby populations described in Sections II, III and IV, above, and actual or threatened release of hazardous substances and pollutants or contaminants from the Site, failing to take or delaying action may present an imminent and substantial endangerment to public health, or welfare, or the environment, increasing the potential that hazardous substances will be released, thereby threatening the adjacent population and the environment.

VIII. OUTSTANDING POLICY ISSUES

The removal involves nationally significant and precedent-setting issues because the primary hazardous substance addressed by the removal is asbestos-containing materials.

In compliance with the *Framework for Investigating Asbestos-Contaminated Superfund Sites* (Framework), EPA implemented the following step-by-step approach outlined in the Framework to investigate and characterize the potential for human exposure from asbestos contamination at the Site.

Step 1 – Review historical and current data – EPA reviewed records of sites where ACM was identified by previous sampling investigations.

Step 2 – Has there been (or is there a threat of) a release to the environment? – EPA documented a release of ACM to the environment during the February 2016 Removal Site Evaluation. For sites where EPA does not document a release, the Framework prescribes additional steps to further characterize potential exposure. However, where EPA documents a release, the Framework allows for a response action without further characterization.

IX. ENFORCEMENT

For administrative purposes, information concerning the enforcement strategy for this site is contained in an Enforcement Confidential Addendum.

The total EPA costs for this removal action based on full-cost accounting practices that will be eligible for cost recovery are estimated to be \$3,187,922.¹

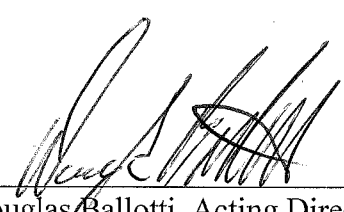
$$(\$1,768,850 + \$30,000) + (77.22\% \times 1,768,885.00) = \$3,187,922$$

X. RECOMMENDATION

This decision document represents the selected removal action for the TOCON Holdings Asbestos Site located at 1302 E Monroe Street, Goshen, Elkhart County, Indiana. This document has been developed in accordance with CERCLA, as amended, and is not inconsistent with the NCP. This decision is based on the Administrative Record for the site (see Attachment 3). Conditions at the site meet the NCP criteria at 40 C.F.R. § 300.415(b) for a removal and I recommend your approval of the removal action proposed in this Action Memorandum.

The total estimated project ceiling, if approved, will be \$1,768,850. Of this, an estimated \$1,639,350 may be used for cleanup contractor costs. You may indicate your decision by signing below.

APPROVE: _____


Douglas Ballotti, Acting Director
Superfund Division

DATE: _____

7/15/2016

DISAPPROVE: _____

Douglas Ballotti, Acting Director
Superfund Division

DATE: _____

Enforcement Confidential Addendum

Figures:

1. Site Location Map
2. Site Layout Map
3. Photo Log

Attachments:

1. Detailed Cleanup Contractor Estimate
2. Independent Government Cost Estimate
3. Administrative Record Index
4. Environmental Justice Analysis

cc: B. Schlieger, U.S. EPA 5202 G (email: Brian.Schlieger@DC/USEPA/US)
L. Nelson, U.S. DOI, **w/o Enf. Addendum** (email: Lindy_Nelson@ios.doi.gov)
R. Osborn, IDEM, **w/o Enf. Addendum**, (email: ROSBORN@idem.IN.gov)
H. Atkinson, IDEM, **w/o Enf. Addendum**, (e-mail: HATKINSO@idem.IN.gov)

BCC PAGE HAS BEEN REDACTED

**NOT RELEVANT TO SELECTION
OF REMOVAL ACTION**

ENFORCEMENT ADDENDUM

HAS BEEN REDACTED – FIVE PAGES

ENFORCEMENT CONFIDENTIAL

NOT SUBJECT TO DISCOVERY

FOIA EXEMPT

NOT RELEVANT TO SELECTION

OF REMOVAL ACTION

FIGURE 1

SITE LOCATION MAP
TOCON Holdings Asbestos Site
Goshen, Elkhart County, Indiana
May 2016

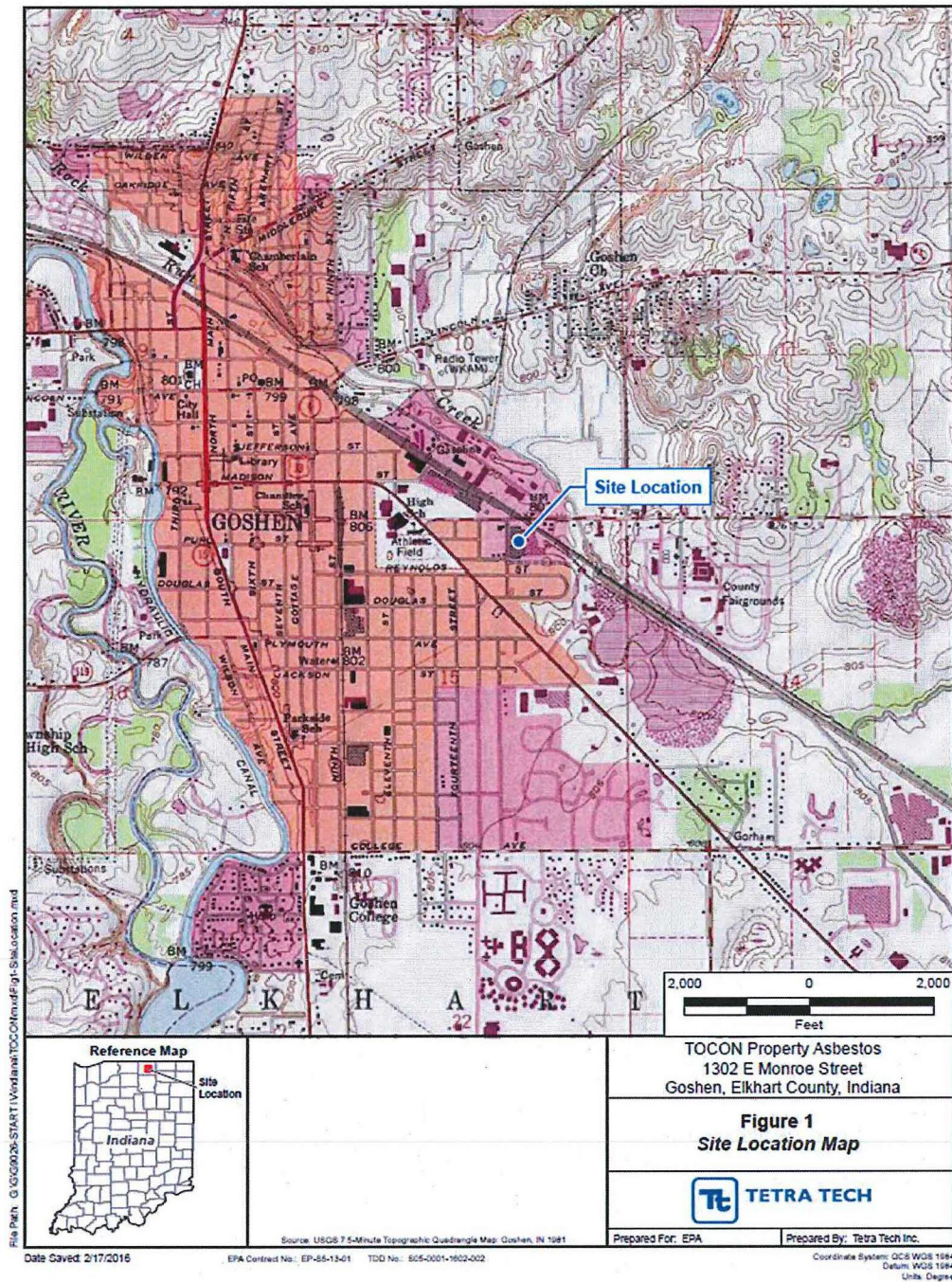


FIGURE 2

**SITE LAYOUT MAP
TOCON Holdings Asbestos Site
Goshen, Elkhart County, Indiana**



FIGURE 3

**SITE PHOTO LOG
TOCON Holdings Asbestos Site
Goshen, Elkhart County, Indiana
May 2016**



Debris pile with ACM



Trucks and pedestrians trespass through the site regularly



Graffiti demonstrating trespassing is occurring



Friable asbestos in debris pile



One of the debris piles on site.

ATTACHMENT 1

DETAILED CLEANUP CONTRACTOR AND START ESTIMATE

TOCON Holdings Asbestos Site
Goshen, Elkhart County, Indiana
May 2016

The estimated cleanup contractor cost necessary to complete the removal action at the TOCON Holdings Asbestos Site, Goshen, Elkhart County, Indiana are as follows*:

CONTRACTOR ESTIMATE

Personnel	\$344,000.00
Equipment	\$130,000.00
Miscellaneous	\$190,000.00
Transportation and Disposal	\$505,000.00
Sub-total	\$1,169,000.00
15% Contingency	\$175,350.00
TOTAL ERRS	\$1,344,350.00

START ESTIMATE

	Quantity	Rate	Hours/Day	Duration	Cost
Personnel	1	\$115.00	10	60	\$69,000.00
Equipment/PPE				60	\$10,000.00
Per Diem		\$51.00		60	\$4,000.00
Lodging		\$89.00		60	\$5,500.00
Vehicle	1			60	\$3,000.00
Fuel					\$2,000.00
Reports & Project Closeout	1	varies	100	—	\$16,000.00
ER TDD					\$20,000.00
TOTAL	(no multipliers)				\$129,500.00

*Costs rounded up to the nearest thousandth

ATTACHMENT 2

INDEPENDENT GOVERNMENT COST ESTIMATE

TOCON Holdings Asbestos Site
Goshen, Elkhart County, Indiana

May 2016

LABOR*

Personnel	Quantity	Regular Rate	OT Rate	Regular Hours	OT Hours	Duration Days	Cost
RM	1	\$71.00	\$71.00	8	2	60	\$43,000.00
FCA	1	\$39.00	\$59.00	8	2	60	\$26,000.00
Operator	3	\$52.00	\$67.00	8	2	60	\$99,000.00
Laborer	3	\$32.00	\$48.00	8	2	60	\$64,000.00
T&D Coordinator	1	\$72.00	\$72.00	8	0	14	\$9,000.00
Safety	1	\$71.00	\$71.00	8	0	8	\$5,000.00
Per diem	8	\$51.00			----	84	\$35,000.00
Lodging	8	\$89.00			----	84	\$60,000.00
Per diem	1	\$51.00			----	14	\$1,000.00
Lodging	1	\$89.00			----	14	\$2,000.00
Total Personnel Cost							\$344,000.00

EQUIPMENT & SUPPLIES*

Equipment	Quantity	Cost/day (Cost/week)	Duration Days (weeks)	Cost
Office Trailers	2	\$30.00	60	\$3,600.00
Heavy Equipment	4	\$250.00	60	\$60,000.00
Attachments	4	\$75.00	60	\$18,000.00
Generators	3	\$120.00	60	\$20,000.00
Vehicles	3	\$58.00	60	\$11,000.00
Vehicle	1	\$67.00	60	\$4,000.00
Storage Trailer	1	\$45.00	60	\$2,700.00
Tote for Fuel Storage	2	-----	-----	\$5,000.00
Port a Johns/Hand Wash station	4	(\$100.00)	(12)	\$4,800.00
Total				\$130,000.00*

*Costs rounded up to the nearest thousandth

MISCELLANEOUS*

Equipment	Quantity	Cost/day	Duration Days	Cost
PPE	----	----	60	\$20,000.00
Equipment Fuel	----	----	60	\$25,000.00
Mobe/Demobe Equipment	----	----	----	\$12,000.00
Vehicle Fuel (& Tolls)	----	----	60	\$20,000.00
Analytical	----	----	----	\$20,000.00
Miscellaneous Site Support	----	----	60	\$11,000.00
Security	----	----	60	\$32,000.00
ER				\$50,000.00
Total				\$190,000.00

TRANSPORTATION & DISPOSAL*

Waste Stream	Quantity (tons)	Quantity (each)	Quantity (ton)	Cost per ton	Cost
RACM	7000			\$66	\$475,000.00

MISC SURCHARGES					
Transport Charges	-----	-----	----	-----	\$15,000.00
Liner		-----		-----	\$15,000.00
Total					\$505,000.00

*Costs rounded up to the nearest thousandth

ATTACHMENT 3

**DRAFT ADMINISTRATIVE RECORD INDEX
TOCON Holdings Asbestos Site
Goshen, Elkhart County, Indiana
May 2016**

<u>NO.</u>	<u>SEMS ID</u>	<u>DATE</u>	<u>AUTHOR</u>	<u>RECIPIENT</u>	<u>TITLE/DESCRIPTION</u>	<u>PAGES</u>
1		2/13/06	Micro Air, Inc	ERM EnviroClean, LLC	Demolition Asbestos Survey Report of Johnson Controls	247
2		2/4/16	KERAMIDA INC.	Taft Stettinius & Hollister LLP	Asbestos Inspection TOCON Property	58
3		2/9/16	Jaworski, M., IDEM	Gebien, C., U.S. EPA	Site Referral	1
4		3/22/16	Tetra Tech EM Inc.	U.S. EPA	Draft Site Assessment Report	49
5		5/9/16	Maguire, A, U.S. EPA	Osborn, R., IDEM	Letter requesting Site ARARs	1
6		00/00/16			Letter re: Site ARARs (PENDING)	
7		00/00/16			Action Memorandum re: Request for Approval of a Time-Critical Removal Action at the TOCON Holdings Asbestos Site (PENDING)	

ATTACHMENT 4

ENVIRONMENTAL JUSTICE ANALYSIS TOCON Holdings Asbestos Site Goshen, Elkhart County, Indiana May 2016



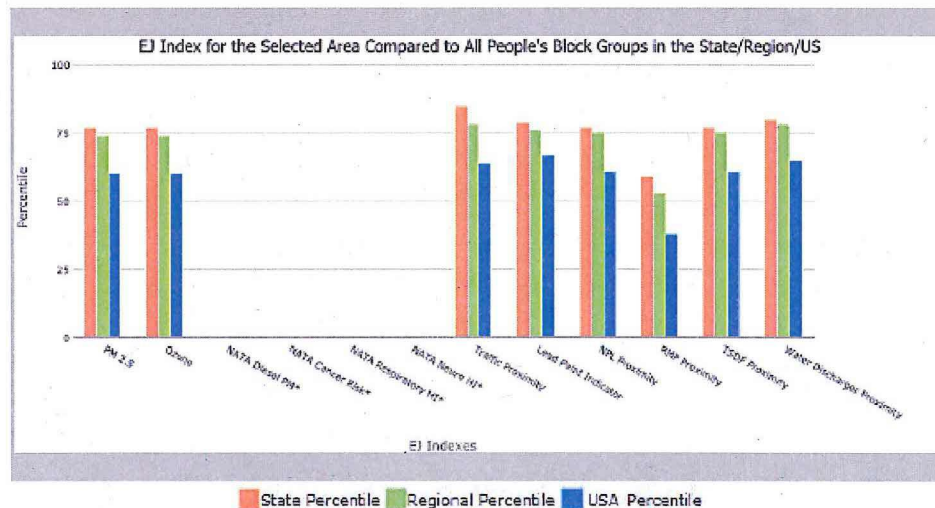
EJSCREEN Report



for 1 mile Ring Centered at 41.580761,-85.816029, INDIANA, EPA Region 5

Approximate Population: 7936

Selected Variables	State Percentile	EPA Region Percentile	USA Percentile
EJ Indexes			
EJ Index for PM2.5	77	74	60
EJ Index for Ozone	77	74	60
EJ Index for NATA Diesel PM*	N/A	N/A	N/A
EJ Index for NATA Air Toxics Cancer Risk*	N/A	N/A	N/A
EJ Index for NATA Respiratory Hazard Index*	N/A	N/A	N/A
EJ Index for NATA Neurological Hazard Index*	N/A	N/A	N/A
EJ Index for Traffic Proximity and Volume	85	78	64
EJ Index for Lead Paint Indicator	79	76	67
EJ Index for Proximity to NPL sites	77	75	61
EJ Index for Proximity to RMP sites	59	53	38
EJ Index for Proximity to TSDFs	77	75	61
EJ Index for Proximity to Major Direct Dischargers	80	78	65



This report shows environmental, demographic, and EJ indicator values. It shows environmental and demographic raw data (e.g., the estimated concentration of ozone in the air), and also shows what percentile each raw data value represents. These percentiles provide perspective on how the selected block group or buffer area compares to the entire state, EPA region, or nation. For example, if a given location is at the 95th percentile nationwide, this means that only 5 percent of the US population has a higher block group value than the average person in the location being analyzed. The years for which the data are available, and the methods used, vary across these indicators. Important caveats and uncertainties apply to this screening-level information, so it is essential to understand the limitations on appropriate interpretations and applications of these indicators. Please see EJSCREEN documentation for discussion of these issues before using reports.

May 09, 2016

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